

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-19 are pending in this application. Claims 11-13 are withdrawn.

In the outstanding Official Action, Claims 1, 8, 9, and 15 were rejected under 35 U.S.C. §102(e) as anticipated by Beach et al. (European Patent App. No. 0 856 812, herein "Beach"). Claims 2, 3, and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Beach in view of McGregor et al. (U.S. Patent Application Publication No. 20030100290, herein "McGregor"). Claim 4 was rejected under 35 U.S.C. §103(a) as unpatentable over Beach in view of McGregor and further in view of Chatani (U.S. Patent No. 6,792,292). Claims 5, 6, 17, and 18 were rejected under 35 U.S.C. §103(a) as unpatentable over Beach in view of Heinonen et al. (U.S. Patent No. 6,078,806, herein "Heinonen"). Claims 7 and 19 were rejected under 35 U.S.C. §103(a) as unpatentable over Beach in view of Chatani. Claim 14 is allowed.

Initially, applicants and applicants' representative thank Examiner Anwah for the interview held on September 8, 2005 to discuss the present case. During the interview, differences between the claimed invention and the cited references were discussed in detail, and arguments based on these differences are provided below. Examiner Anwah agreed to reconsider the rejections of record after receiving the present response.

With regard to the rejection of Claim 1 under 35 U.S.C. §102(e) as anticipated by Beach, that rejection is respectfully traversed.

The present inventors realized that the creation of a communication link between a host and a short distance wireless communication device can take a long period of time if multiple communication devices are within range of the host, and the host must establish a link with only one of the available devices. For example, in a retail store, a plurality of

customers, only one of which can purchase items from a register at a time, may have wireless devices within range of each register. Thus, creating a link between each register and the desired wireless device is time consuming because each wireless device in range will respond to a general link creating request. Accordingly, creating the link can take 10 seconds or more.¹

The claimed invention provides a method where the host acquires identification from the communication terminal and includes this identification information in a page message sent out to establish the link. Thus, although multiple communication terminals may receive this page message, a link can be efficiently made with the desired communication terminal, as it will be the only terminal whose identification information matches that in the page message.

Accordingly, Claim 1 recites an information exchange method comprising, *inter alia*:

- acquiring identification information identifying the communication terminal by the information acquisition device;
- controlling the short distance wireless communication device of the host to,
 - transmit a page message that contains the identification information and causes the communication terminal to operate in a hopping pattern determined by the host being a master device, and
 - transmit a request, following the page message, for establishing a short distance wireless communication link;
- ...

In contrast, Beach describes a portable shopping and order fulfillment system where a single portable terminal 70 is brought within range of a host.² There is no description in Beach of multiple terminals 70 being brought within range of a single host. Thus, it is respectfully submitted that Beach does not consider the problem solved by the present inventors, much less teach or suggest *any* solution for creating a link with one of many

¹See Specification at page 1, line 21 to page 3, line 10.

²See Beach, column 6, line 51 to column 7, line 10.

portable terminals within range of a host. Thus, it is respectfully submitted that Beach does not teach or suggest to "transmit a page message that contains the identification information," as recited in Claim 1.

Consequently, Claim 1 (and Claims 2-10 dependent therefrom) is not anticipated by Beach and is patentable thereover.

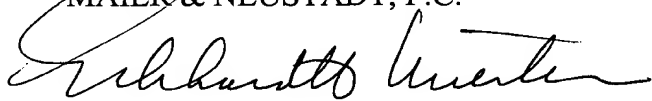
Claim 15 (and Claims 16-19 dependent therefrom), which recites similar elements to Claim 1, is also believed to be patentable over Beach for at least the reasons discussed above with respect to Claim 1.

Further, as none of McGregor, Chatani, or Heinonen cures the above noted deficiencies of Beach, Claims 2-7, 10, and 16-19 are also believed to be patentable for at least the reasons discussed above with respect to Claim 1.

Accordingly, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Edward Tracy
Registration No. 47,998

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)